

March 28, 2003

Mr. Speaker:

I transmit herewith enrolled **S 1122**, as amended in the House, for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1122**, as amended in the House, and, when so signed, ordered it returned to the Senate.

March 28, 2003

Mr. Speaker:

I return herewith enrolled **H 305, H 352, H 353, H 354, H 355, H 361, H 321, H 248, and H 313** which have been signed by the President.

WOOD, Secretary

Enrolled **H 305, H 352, H 353, H 354, H 355, H 361, H 321, H 248, and H 313** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 28, 2003

Mr. Speaker:

I transmit herewith **S 1169** and **S 1170** which have passed the Senate.

WOOD, Secretary

S 1169 and **S 1170** were filed for first reading.

March 28, 2003

Mr. Speaker:

I return herewith **H 302, H 269**, as amended, and **H 273** which have passed the Senate.

WOOD, Secretary

H 302, H 269, as amended, and **H 273** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 31, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed House Amendments to **S 1051, H 252, H 381, H 386, and S 1084**.

FIELD(18), Chairman

March 31, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 174**, as amended, as amended in the Senate, and **H 110**, as amended, as amended in the Senate.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 174**, as amended, as amended in the Senate, and **H 110**, as amended, as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

EIGHTY-FIFTH LEGISLATIVE DAY MONDAY, MARCH 31, 2003

House of Representatives

The House convened at 10:45 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Pastor Peg Lofsvold.

The Pledge of Allegiance was led by Kate DeGroot, Page.

Approval of Journal

March 31, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighty-second Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

March 28, 2003

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 328, H 330, H 340, H 341, H 342, and H 343

/s/ Very truly yours,
DIRK A. KEMPTHORNE
Governor

March 31, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 199**, as amended, as amended in the Senate, **H 252**, as amended, **H 381**, as amended, and **H 386**, as amended.

FIELD(18), Chairman

H 199, as amended, as amended in the Senate, **H 252**, as amended, **H 381**, as amended, and **H 386**, as amended, were filed for first reading of engrossed bills.

March 31, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 360**, **H 123**, **H 312**, **H 314**, **H 4**, **H 295**, **H 140**, **H 232**, as amended, **H 15**, **H 347**, **H 348**, **H 349**, **H 350**, and **H 351** to the Governor at 10:35 a.m., as of this date, March 28, 2003.

FIELD(18), Chairman

March 28, 2003

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **S 1165** and recommend that it do pass.

SALI, Chairman

S 1165 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE RESOLUTION NO. 4 BY STATE AFFAIRS COMMITTEE A HOUSE RESOLUTION

EXPRESSING THE SUPPORT OF THE IDAHO HOUSE OF REPRESENTATIVES FOR "OPERATION ENDURING SUPPORT."

Be It Resolved by the House of Representatives of the State of Idaho:

WHEREAS, thousands of American servicemen and women are risking their lives in defending the interests and principles of the United States of America; and

WHEREAS, these American troops, including many from the state of Idaho, are performing with remarkable success against Saddam Hussein and his military-industrial complex; and

WHEREAS, all citizens of the state of Idaho should take great pride in the manner in which our brave servicemen and women are representing our Nation in the Middle East; and

WHEREAS, all Americans eagerly await a successful and expedient conclusion to the war in Iraq and the safe return of our courageous men and women serving in the Persian Gulf region.

NOW, THEREFORE, BE IT RESOLVED on this first day of April by the members of the House of Representatives,

assembled in the First Regular Session of the Fifty-seventh Idaho Legislature, that we do strongly support and endorse "OPERATION ENDURING SUPPORT" as a national grassroots effort to support our servicemen and women participating in "OPERATION IRAQI FREEDOM" and their families here at home; and we encourage state and local governments and private businesses and industry to organize "OPERATION ENDURING SUPPORT" task forces intended to provide support for the families of the troops while they are deployed and to plan and organize welcome home celebrations for the servicemen and women upon their arrival home.

HOUSE CONCURRENT RESOLUTION NO. 30 BY STATE AFFAIRS COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND PROVIDING APPROVAL FOR CERTAIN STATE BODIES AND COMMUNITY COLLEGE DISTRICTS TO ENTER INTO AGREEMENTS WITH THE IDAHO STATE BUILDING AUTHORITY TO FINANCE AND DEVELOP OR RENOVATE SPECIFIED FACILITIES LOCATED THROUGHOUT IDAHO.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature of the State of Idaho has previously authorized some level of funding for eight facilities projects located throughout Idaho; and

WHEREAS, it was necessary to rescind the funding for these projects due to the shortfall in General Fund revenues; and

WHEREAS, the Legislature recognizes the significant immediate economic stimulus that would be provided by proceeding with construction on these projects; and

WHEREAS, the amounts of appropriated and available funds are not sufficient to cover all of the anticipated costs associated with these facilities in a timely manner; and

WHEREAS, North Idaho College in Coeur d'Alene is currently providing health and nursing classes in old donated wooden buildings that will be replaced by a new Allied Health, Nursing and Life Sciences Building; and

WHEREAS, the University of Idaho has been forced to close the classroom center on its Moscow campus that houses 40% of the university's classroom space and will renovate and convert it into a modern Teaching and Learning Center; and

WHEREAS, Lewis-Clark State College in Lewiston currently uses a physical education center that was constructed in 1937 for 368 students and will construct a new physical education center with conference and meeting facilities; and

WHEREAS, Boise State University now has 5,067 students enrolled at BSU Canyon County, with the center filled to capacity, and will construct a new academic building on the BSU West Campus in Nampa; and

WHEREAS, the Idaho State Police now provides training programs for the Department of Correction and Department of Juvenile Corrections and will build a training facility to house those programs in Meridian; and

WHEREAS, the College of Southern Idaho in Twin Falls requires classroom and performance space for speech, music,

forensics and the performing arts and will build a Fine Arts Addition to house those programs; and

WHEREAS, Idaho State University will meet its growing requirement in Pocatello for additional classroom space, student services and student housing by using student fees to construct the student services and housing portions of a multiuse facility and funds authorized under this resolution to build a new classroom facility; and

WHEREAS, Eastern Idaho Technical College wishes to help meet the need for trained health care professionals in the Idaho Falls area, and a new health care education building will be constructed in accordance with policies of the State Board of Education; and

WHEREAS, it is in the best interest of the state and its community college districts for the State Building Authority to finance and provide new facilities for the use of each of the described state bodies and community college districts;

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature hereby authorizes and provides approval for the Department of Administration and each of the following state bodies and community college districts to enter into agreements with the Idaho State Building Authority, under such terms and conditions as may be reasonable and necessary, to provide for the financing and development of the following described facilities for their respective use:

STATE BODY/DISTRICT	FACILITY	LOCATION
North Idaho College	Allied Health, Nursing, & Life Science Bldg.	Coeur d'Alene
University of Idaho	Teaching & Learning Center	Moscow
Lewis-Clark State College	Campus Activity Center	Lewiston
Boise State University	West Campus Academic Building	Nampa
Idaho State Police	Training Facility	Meridian
College of Southern Idaho	Fine Arts Addition	Twin Falls
Idaho State University	Classroom & Multiuse Facility	Pocatello
Eastern Idaho Technical College	Health Care Education Building	Idaho Falls

BE IT FURTHER RESOLVED that this resolution constitutes authorization to enter into agreements required by the provisions of Section 67-6410, Idaho Code, and with respect to facilities provided to the State Board of Education and Board of Regents of the University of Idaho this resolution constitutes the approval required by the provisions of Section 33-3805A, Idaho Code.

HR 4 and **HCR 30** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 394

BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO ENVIRONMENTAL QUALITY; AMENDING CHAPTER 1, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-116A, IDAHO CODE, TO PROVIDE FOR COMPLIANCE AGREEMENT SCHEDULES; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 395

BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO PERMITS FOR OVERWEIGHT VEHICLE LOADS; AMENDING SECTION 49-432, IDAHO CODE, TO PROVIDE FOR ISSUANCE OF PERMITS IN LIEU OF A REGISTRATION FEE FOR VEHICLES WEIGHING UP TO A MAXIMUM OF ONE HUNDRED TWENTY-NINE THOUSAND POUNDS GROSS VEHICLE WEIGHT AND TO EXTEND THE SCHEDULE OF THIRTY DAY TEMPORARY PERMITS; AMENDING SECTION 49-1004, IDAHO CODE, TO DELETE OBSOLETE LANGUAGE, TO PROVIDE THAT THE DEPARTMENT SHALL AND LOCAL PUBLIC HIGHWAY AGENCIES MAY IN THEIR DISCRETION ISSUE ANNUAL PERMITS ON DESIGNATED PILOT PROJECT ROUTES FOR OPERATION OF VEHICLES WEIGHING UP TO ONE HUNDRED TWENTY-NINE THOUSAND POUNDS, TO DELETE THE REQUIREMENT THAT THE IDAHO TRANSPORTATION BOARD SHALL ESTABLISH CRITERIA FOR NONSTATE PILOT PROJECT ROUTES, TO CLARIFY THAT STATE PILOT PROJECT ROUTES ARE DESIGNATED BY THE LEGISLATURE, TO REVISE AN EXISTING STATE PILOT PROJECT ROUTE, TO DESIGNATE ADDITIONAL STATE PILOT PROJECT ROUTES, TO PROVIDE THAT LOCAL PUBLIC HIGHWAY AGENCIES ARE AUTHORIZED TO ISSUE ANNUAL PERMITS AND THAT SUCH PERMITS SHALL BE IN WRITING, TO PROVIDE THAT THE ENTITY ISSUING A PERMIT SHALL RETAIN THE ADMINISTRATIVE PERMIT FEE TO COVER ADMINISTRATIVE COSTS, TO MAKE A TECHNICAL CORRECTION AND TO PROVIDE PROPER TERMINOLOGY; PROVIDING LEGISLATIVE INTENT REGARDING REPORTING REQUIREMENTS AND TO PROVIDE A SUNSET CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 396

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO POWERS AND DUTIES OF THE STATE BUILDING AUTHORITY RELATING TO COMMUNITY COLLEGE DISTRICTS; AMENDING SECTION 67-6402, IDAHO CODE, TO DEFINE ADDITIONAL TERMS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-6409, IDAHO CODE, TO PROVIDE AUTHORITY TO THE BUILDING AUTHORITY TO

RECEIVE CONTRIBUTIONS FROM COMMUNITY COLLEGE DISTRICTS, TO PROVIDE AUTHORITY TO THE STATE BUILDING AUTHORITY TO SELL, LEASE, RENT OR SUBLEASE TO COMMUNITY COLLEGE DISTRICTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6410, IDAHO CODE, TO REQUIRE APPROVAL BY THE LEGISLATURE PRIOR TO FINANCING FACILITIES FOR COMMUNITY COLLEGE DISTRICTS; AMENDING SECTION 67-6411, IDAHO CODE, TO REQUIRE COOPERATION BETWEEN THE AUTHORITY, MUNICIPALITIES, STATE BODIES OR COMMUNITY COLLEGE DISTRICTS; AMENDING SECTION 67-6423, IDAHO CODE, TO PROVIDE THAT CONTRACTS FOR FACILITIES BY THE AUTHORITY NEED NOT COMPLY WITH ANY OTHER STATE LAW APPLICABLE TO CONTRACTS FOR THE CONSTRUCTION AND ACQUISITION BY COMMUNITY COLLEGE DISTRICTS; AMENDING SECTION 33-2107, IDAHO CODE, TO PROVIDE THAT A COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES' GENERAL POWERS INCLUDE THE POWER TO LEASE PROPERTY TO THE AUTHORITY AND TO ENTER INTO AGREEMENTS WITH THE AUTHORITY; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 397
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE ISSUANCE OF BONDED INDEBTEDNESS; AMENDING CHAPTER 5, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-515, IDAHO CODE, TO PROVIDE FOR A LIMITATION ON THE AUTHORIZATION OF BONDED INDEBTEDNESS.

H 394, H 395, H 396, and H 397 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1169 and S 1170, by State Affairs Committee, were introduced, read the first time by title, and referred to the Education Committee.

S 1051, as amended in the House, and **S 1084**, as amended in the House, by Commerce and Human Resources Committee, were introduced, read the first time by title, and filed for second reading.

First Reading of Engrossed Bills

H 199, as amended, as amended in the Senate, by Health and Welfare Committee, was introduced, read the first time by title and filed for second reading.

H 252, as amended, and **H 386**, as amended, by State Affairs Committee, were introduced, read the first time by title and filed for second reading.

H 381, as amended, by Ways and Means Committee, was introduced, read the first time by title and filed for second reading.

Second Reading of Bills and Joint Resolutions

S 1160, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

H 376, by Ways and Means Committee, was read the second time by title and filed for third reading.

H 9, as amended, as amended in the Senate, by Mr. Speaker, requested by Bureau of Occupational Licenses, was read the second time by title and filed for third reading.

H 150, as amended in the Senate, by Environmental Affairs Committee, was read the second time by title and filed for third reading.

H 64, as amended, as amended in the Senate, by Mr. Speaker, requested by Department of Parks and Recreation, was read the second time by title and filed for third reading.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

Mr. Moyle asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the Legislative Day. There being no objection, it was so ordered.

March 31, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 395**.

FIELD(18), Chairman

H 395 was referred to the Transportation and Defense Committee.

There being no objection, the House advanced to the Thirteenth Order of Business.

Miscellaneous and Unfinished Business

HOUSE OF REPRESENTATIVES
House Majority Leader

March 28, 2003

Representative Bruce Newcomb
Speaker of the House
HAND DELIVERED

On March 26, 2003, the House Majority Leader, Lawrence Denney, received a letter from Speaker of the House, Bruce Newcomb, requesting that an Ethics Committee be appointed under Rules of the House of Representatives, Rule 76.

At issue was whether the Open Meeting Law (Sections 67-2346 and 67-2341) was violated when an impromptu meeting was held on March 25, 2003, with several members of the House Revenue and Taxation Committee and the Speaker of the House.

The Majority Leader appointed an Ethics Committee comprised of the following members: Representatives Deal, Black, Barraclough, McKague, Cuddy, Shepherd, and Martinez.

Under House Rule 76 an Ethics Committee meeting was called. The committee convened at 3:45 p.m., on March 26, 2003, in Room 311 at the House of Representatives.

The committee heard testimony from Representative Bruce Newcomb, Speaker of the House, Representative Dolores Crow, Chairman of the House Revenue and Taxation Committee, Mr. Brian Kane, Deputy Attorney General, Mr. Roy Eiguren, representing the Idaho Allied Daily Newspapers, and Mr. Charles Oxley, reporter for the Associated Press.

Upon conclusion of testimony, the committee considered the question, "What constitutes a meeting under the Open Meeting Law?"

Idaho Code 67-2341(6) defines "meeting" to be "the convening of a governing body of a public agency to make a decision or to deliberate toward a decision on any matter."

Idaho Code 67-2341(1) "Decision" means any determination, action, vote or final disposition upon a motion, proposal, resolution, order, ordinance or measure on which a vote of a governing body is required, at any meeting at which a quorum is present,"

The term "deliberation" is defined by Section 67-2341(2) and means "the receipt or exchange of information or opinion relating to a decision, but shall not include informal or impromptu discussions of a general nature which do not specifically relate to a matter then pending before the public agency for decision."

After evaluating the testimony and discussing the applicable sections of Idaho Code that relate to the Open Meeting Law, the committee came to the consensus that the March 25, 2003, meeting in question was impromptu and the discussion was of a general nature which did not relate to a matter then pending before the Idaho House of Representatives.

A motion for dismissal was made and seconded. The motion was passed unanimously by voice vote.

Sincerely,
/s/ Lawrence Denney
House Majority Leader

There being no objection, the House returned to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 202, as amended, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sali to open debate.

Mrs. Douglas asked unanimous consent that, pursuant to Rule 22, discussion of **H 376** be allowed in debate of **H 202**, as amended, as amended. There being no objection, it was so ordered.

The question being, "Shall **H 202**, as amended, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bauer, Bedke, Block, Bradford, Cannon, Clark, Collins, Crow, Cuddy, Denney, Eberle, Ellsworth, Field(23), Gagner, Harwood, Kellogg, Kulczyk, Lake, Langford, McGeachin, McKague, Moyle, Nielsen, Roberts, Rydalch, Sali, Schaefer, Shirley, Snodgrass, Wills, Wood. Total -- 33.

NAYS -- Andersen, Bell, Bieter, Black, Boe, Bolz, Campbell, Deal, Douglas, Edmunson, Eskridge, Field(18), Garrett, Henbest, Jaquet, Jones, Langhorst, Martinez, Meyer, Miller, Mitchell, Naccarato, Raybould, Ridinger, Ring, Ringo, Robison, Saylor, Shepherd, Skippen, Smith(30), Smith(24), Smylie, Stevenson, Tilman, Trail, Mr. Speaker. Total -- 37.

Absent and Excused -- None.

Paired Vote:

AYE -- Bedke. NAY -- Tilman.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 202**, as amended, as amended, failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

Mr. Denney moved that the House recess until 2:00 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 2:00 p.m.

RECESS

Afternoon Session

The House reconvened at 2:00 p.m., Mr. Denney in the Chair.

Roll call showed 68 members present.

Absent and excused -- Henbest, Stevenson. Total -- 2.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

HCR 29 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Garrett to open debate.

Mrs. Garrett asked unanimous consent that, pursuant to Rule 22, discussion of **HCR 13** be allowed in debate of **HCR 29**. There being no objection, it was so ordered.

The question being, "Shall **HCR 29** be adopted?"

Whereupon the Speaker Pro Tem declared **HCR 29** adopted by voice vote and ordered the resolution transmitted to the Senate.

H 391 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Jones to open debate.

Mrs. Jaquet asked unanimous consent that, pursuant to Rule 22, discussion of other other bills be allowed in debate of **H 391**. There being no objection, it was so ordered.

At this time, the Speaker took the Chair.

The question being, "Shall **H 391** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Black, Block, Bolz, Bradford, Cannon, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Field(23), Gagner, Garrett, Harwood, Jones, Kellogg, Lake, Langford, Martinez, McGeachin, McKague, Meyer, Miller, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Roberts, Rydalch, Schaefer, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Tilman, Wills, Wood, Mr. Speaker. Total -- 52.

NAYS -- Bieter, Boe, Campbell, Clark, Eskridge, Henbest, Jaquet, Kulczyk, Langhorst, Mitchell, Ringo, Robison, Sali, Sayler, Shepherd, Trail. Total -- 16.

Absent and excused -- Crow, Field(18). Total -- 2.

Paired Votes:

AYE -- Stevenson. NAY -- Sayler.

AYE -- Naccarato. NAY -- Henbest.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 391** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **H 388** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

H 385 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Langhorst to open debate.

Mr. Langhorst asked unanimous consent that, pursuant to Rule 22, discussion of **H 213** be allowed in debate of **H 385**. There being no objection, it was so ordered.

The question being, "Shall **H 385** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(23), Gagner, Garrett, Harwood, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- Rydalch. Total -- 1.

Absent and excused -- Crow, Field(18), Henbest, Sali, Stevenson. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 385** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1136, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood to open debate.

The question being, "Shall **S 1136**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(23), Gagner, Garrett, Harwood, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Tilman, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bedke, Field(18), Henbest, Kulczyk, Roberts, Stevenson. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1136**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1167 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Edmunson to open debate.

The question being, "Shall **S 1167** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(23), Gagner, Garrett, Harwood, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Tilman, Trail, Wills, Wood, Mr. Speaker.
Total -- 67.

NAYS -- None.

Absent and excused -- Field(18), Henbest, Stevenson.
Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1167** passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 10:45 a.m., Tuesday, April 1, 2003. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:45 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk